

City of San José
Roosevelt Community Center – Package II
July 5, 2006
PREQUALIFICATION SUBMITTAL
PREPARATION AND INFORMATION

ROOSEVELT COMMUNITY CENTER – PACKAGE II

Issue Date: JULY 5, 2006
Due Date: 4:00pm, JULY 21, 2006

Deliver Submittal to:
City of San José
Department of Public Works/CFAS
200 E. Santa Clara Street, Floor 6
San José, California 95113

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PROJECT DESCRIPTION

The City of San José will be accepting bids for the construction of a new 30,000 square foot community center, surface parking and related site and utility improvements. The project location is 901 E. Santa Clara Street, within Roosevelt Park between 19th and 21st Streets.

GENERAL

The City of San José is seeking to prequalify responsible general construction firms for anticipated work associated with the construction of the Roosevelt Community Center – Package II Project. The term “Contractor” utilized in this document shall include the general or prime contractor for selected work as defined herein.

Please refer to the Notice To Contractors included in this package for required deadlines. Each prospective bidder must complete the prequalification submittal, provide all materials requested herein, and be approved by the City to be on the final qualified bidders list. The City will not accept submission of incomplete documentation. Incomplete documentation will result in the rejection of the prospective bidder.

For prequalification, the City requires complete answers to questions contained in the attached questionnaire, information about current bonding capacity, and a notarized statement from surety. The City will rate prospective bidders for this work only using objective criteria based on the information obtained in the prequalification process. The City will use information obtained from the documents submitted, as well as information obtained from references provided.

Following issuance of a Notice of Determination, the City reserves the right to adjust, increase, limit, suspend or rescind the prequalification rating based on subsequently learned information.

Any contractor deemed not qualified, or contractors whose rating changes sufficient to disqualify them, will be notified through a Notice of Determination and given an opportunity for a hearing as described below. No contractor shall have the right to appeal a determination that it is not qualified based upon its submission of an incomplete prequalification submittal or its late submission of the prequalification submittal.

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APPEALS PROCEDURE

The City shall deliver a written notice to each contractor that it determines is not qualified or responsible to bid on the project. The following procedures shall apply whenever a contractor desires to challenge that determination.

No contractor shall have the right to protest a determination that it is not qualified based upon its submission of an incomplete prequalification application or its late submission of the prequalification application. Any contractor who the City determines is otherwise not qualified or responsible shall have the right to a hearing to protest that determination. The protest by the contractor shall be undertaken at the contractor's expense.

The contractor shall initiate a protest by delivering to the City a written notice requesting a hearing and setting forth in general terms the basis of the protest. The contractor shall deliver the written notice to the same location that it delivered the prequalification application from which it is appealing. The Contractor shall deliver such written notice within ten (10) business days following the date of the City's written notice that the contractor is not qualified or responsible. The Contractor waives its right to protest the City's decision if it fails to deliver the notice within ten (10) business days.

The Director of the Department of Public Works shall conduct a hearing on the protest no later than twenty (20) business days following the Contractor's delivery of the written notice of appeal. The hearing conducted by the Director shall be informal and need not be an evidentiary hearing. At the hearing, the Contractor will be given the opportunity to present information and present reasons in opposition to the rating. The Director shall consider all evidence, information and arguments submitted by the Contractor relevant to the City's determination, the City's response to such evidence, information and arguments, and any other information the Director deems relevant.

Within twenty (20) business days following the hearing, the Director shall issue a written decision whether the Contractor is qualified or not qualified. The Director's written decision is the final determination of the issue, and the Contractor shall have no further administrative appeals.

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PREQUALIFICATION

The City will award a contract to the lowest responsible and responsive bidder that has been deemed qualified through participation in this prequalification process.

Please refer to the Notice To Contractors included in this package for required deadlines. Each prospective bidder must successfully be prequalified through the process outlined in this document. No other prequalification process completed for the City will meet these requirements.

All information requested in the prequalification submittal must be submitted in order to be considered for prequalification. All prospective contractors must complete and submit all prequalification documents, with any attachments or other supplemental information, in one complete package by the date stated in the Notice To Contractors. The City will not accept information or documents from other parties. Submission of an incomplete and/or unclear prequalification submittal will result in rejection of the prospective contractor.

Any questions or requests must be submitted in writing to the City, to the attention of Lili Matthews, City of San José, Department of Public Works, 200 E. Santa Clara Street, 6th Floor, San Jose, CA 95113 (facsimile: 408-291-6288 or email: lili.matthews@sanjoseca.gov). The contractor shall rely on only this Request for Prequalification of Bidders document and any subsequent written supplement issued by the City for preparation of the prequalification submittal. Contractors shall not rely on any other written or any oral statements of the City or its officers, directors, employees, or agents regarding the overall project or the prequalification package in preparing and submitting the prequalification submittal.

While it is the intent of the prequalification questionnaire and documents required therewith to assist the City in determining contractor responsibility prior to bid and to aid the City in selecting the lowest responsible bidder, neither the fact of prequalification, nor any prequalification rating, will preclude the City from a post-bid consideration and determination of bidder responsibility.

The City must comply with the Public Records Act and therefore cannot guarantee or represent that any information submitted by a firm/entity will be kept confidential. If the City receives a request for any documents submitted by a contractor in response to the City's request for prequalification submittals, the City's sole responsibility will be to notify the contractor of a request for such document to allow the contractor to seek protection from disclosure in a court of competent jurisdiction.

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PREPARATION OF PREQUALIFICATION SUBMITTALS

The prequalification submittal information should be presented bound and separated by section dividers. Oversize drawings (larger than 11x17), if provided, should be folded and inserted in plastic carriers. Three (3) copies of the prequalification submittal shall be delivered to the City of San José. The completed prequalification submittal should not exceed 25 pages. The City reserves the right to waive minor irregularities and omissions in the information contained in the prequalification submittal and the form of such information.

EVALUATION AND ANALYSIS

Compliance with minimum qualifications of prospective contractors will be determined from the information in each prequalification submittal. The City reserves the right to verify from other available sources the information provided by the contractor and to rely upon such information gathered during the verification process. The City's decision will be based on objective evaluation criteria. Further consideration of a prospective contractor's qualifications will be made only if the prospective contractor meets all of the following minimum requirements:

1. Possession of a valid California Contractor's License
2. Notarized statement from a surety company
3. An average California Experience Modification Rate of 1.24 or less for the last three years
4. Demonstration of the necessary level of Construction Project Experience (as defined in Part II-A of this document, entitled "Recent Construction Projects Completed")

The City of San José will evaluate each responding contractor's statement for minimum qualifications and publish a list of qualified contractors.

Construction documents defining the project scope of work will be available to contractors placed on the pre-qualified list, with an invitation to submit sealed bids.

END OF SECTION

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PREQUALIFICATION SUBMITTAL
APPLICATION FORM

The undersigned certifies that the statements and information contained in this submittal are complete and accurate and that the submittal contains no false or deliberately misleading information. The undersigned hereby agrees and declares that receipt of this submittal by the City of San José does not constitute either a direct or implied guarantee to the Contractor that prequalification is or will be granted and also agrees to the procedures and conditions of the prequalification requirements described in the prequalification submittal.

(1) Legal Name of Applicant (Contractor): _____

(2) Address of Applicant: _____

(3) Phone Number: _____ Fax: _____

(4) Applicant is: ☐ Corporation ☐ Partnership
☐ Sole Proprietorship ☐ Joint Venture

(5) If Applicant is a Corporation, name the State of Incorporation: _____

(6) Number of years the Applicant has been licensed Contractor: _____

(7) Execution.

The undersigned is a legally authorized representative of the Contractor. The legal name of the Contractor is:

State of California Contractor's License Number, including all specialty licenses and certifications:

License Number: _____ Type(s): _____

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Contractor's Telephone Number: _____

Contractor's Facsimile Number: _____

I _____, being first duly sworn, says that all statements and
Name
information contained in this Submittal is complete and accurate and that this Submittal contains
no false or deliberately misleading information.

Contractor

Printed Name

Signature

Title

Subscribed and sworn to before me this _____ day of _____, 2004

Notary Public in and for the State of _____

Residing at: _____

Expiration Date: _____

END OF FORM

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QUESTIONNAIRE

PART I ESSENTIAL REQUIREMENTS FOR QUALIFICATION

Contractor will be immediately disqualified if the answer to any of questions 1 through 5 is “no.”

Contractor will be immediately disqualified if the answer to any of questions 6 through 10 is “yes.”

1. Contractor possesses a valid and current California Contractor’s License for the project or projects for which it intends to submit a bid. Prospective bidders who wish to be prime contractors must have a California contractor’s license, classification **B** to bid this project.
☐ No ☐ Yes
2. Contractor has a liability insurance policy with a policy limit of at least \$5,000,000 per occurrence.
☐ No ☐ Yes
3. Contractor has current workers’ compensation insurance policy as required by the Labor Code or is legally self-insured pursuant to Labor Code section 3700 et. seq. with a policy limit of \$1,000,000 per accident.
☐ No ☐ Yes ☐ Contractor is exempt from this requirement, because it has no employees
4. Contractor has attached a notarized statement from an admitted surety insurer (approved by the California Department of Insurance) and authorized to issue bonds in the State of California, which states: (a) that Contractor’s current bonding capacity is sufficient for the project for which firm seeks pre-qualification.
☐ No ☐ Yes
NOTE: Notarized statement must be from the surety company, not an agent or broker.
5. Contractor has an average California Experience Modification Rate of 1.24 or less over the last three years.
☐ No ☐ Yes
6. Has your contractor’s license been revoked or suspended at any time in the last five (5) years?
☐ No ☐ Yes

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7. Has a surety firm completed a contract on your behalf, or paid for completion because your firm was default terminated by the project owner within the last five (5) years?
☐ No ☐ Yes
8. At the time of submitting this pre-qualification form, is your firm ineligible to bid on or be awarded any local, state or federal public works contract, or perform as a subcontractor on any such public works contract, pursuant to either Labor Code section 1777.1 or Labor Code section 1777.7 or any other local, state or federal law or regulation?
☐ No ☐ Yes
9. At any time during the last five (5) years, has your firm, or any of its owners or officers been convicted of a crime involving the awarding of a contract of a government construction project, or the bidding or performance of a government contract?
☐ No ☐ Yes
10. In the last five (5) years has your firm, or any firm with which any of your company's owners, officers or partners was associated, been debarred, disqualified, removed or otherwise prevented from bidding on, or completing, any government agency or public works project for any reason?
NOTE: "Associated with" refers to another construction firm in which an owner, partner or officer of your firm held a similar position.
☐ No ☐ Yes

END OF PART I

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PART II PROJECTS

To be prequalified to perform the Roosevelt Community Center – Package II project, the contractor must have completed two (2) projects within the last five (5) years, each of which meets the following criteria: (1) the project required the erection of structural steel framing and (2) the minimum total construction value of the project was at least \$8 million. The contractor shall provide the information required below for each of these two projects. The contractor is encouraged to identify previous projects that not only meet the required criteria, but otherwise closely match the description of the Roosevelt Community Center – Package II project provided on page 5 of this document. Names and references must be current and verifiable.

1) Project Name: _____

Location: _____

Owner: _____

Date of Completion:

Total Value of Construction (including change orders):

\$ _____

Description of Project, Scope of Work Performed:

☐ Structural Steel Framing

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2) Project Name: _____

Location: _____

Owner: _____

Date of Completion:

Total Value of Construction (including change orders):

\$ _____

Description of Project, Scope of Work Performed:

☐ Structural Steel Framing

* * * * *

I, the undersigned, certify and declare that I have read all the foregoing answers to this prequalification questionnaire and know their contents. The matters stated in the questionnaire answers are true of my own knowledge and belief, except as to those matters stated on information and belief, and as to those matters I believe them to be true. I declare under penalty of perjury under the laws of the State of California, that the foregoing is correct.

Dated

Name

END OF QUESTIONNAIRE